

MESSAGE NO: 1139310 MESSAGE DATE: 05/19/2011

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE: ADRV-Administrative Review

FR CITE: 76 FR 22871 FR CITE DATE: 04/25/2011

REFERENCE
MESSAGE #
(s):

CASE #(s): A-570-912

EFFECTIVE DATE: 04/25/2011 COURT CASE #:

PERIOD OF REVIEW: 02/20/2008 TO 08/31/2009

PERIOD COVERED: 02/20/2008 TO 08/31/2009

Notice of Lifting of Suspension Date: 04/25/2011

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQUIDATION INSTRUCTIONS FOR CERTAIN NEW PNEUMATIC OFF-THE-ROAD TIRES FROM THE PRC EXPORTED BY VARIOUS COMPANIES FOR THE PERIOD 2/20/2008 THROUGH 8/18/2008 AND 9/05/2008 THROUGH 8/31/2009 (A-570-912)

1. FOR ALL SHIPMENTS OF CERTAIN NEW PNEUMATIC OFF-THE-ROAD TIRES FROM THE PEOPLE'S REPUBLIC OF CHINA EXPORTED BY THE FIRMS LISTED BELOW, AND ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 02/20/2008 THROUGH 08/31/2009, ASSESS AN ANTIDUMPING LIABILITY EQUAL TO 28.97 PERCENT OF THE ENTERED VALUE, UNLESS PARAGRAPH 2 IS APPLICABLE.

EXPORTER: KS HOLDING LIMITED/KS RESOURCES LIMITED

CASE NUMBER: A-570-912-054

EXPORTER: LAIZHOU XIONGYING RUBBER INDUSTRY CO., LTD.

CASE NUMBER: A-570-912-055

EXPORTER: HANGZHOU ZHONGCE RUBBER CO., LTD.

CASE NUMBER: A-570-912-053

EXPORTER: QINGDAO TAIFA GROUP CO., LTD.

CASE NUMBER: A-570-912-056

EXPORTER: WEIHAI ZHONGWEI RUBBER CO., LTD.

CASE NUMBER: A-570-912-057

ENTRIES OF SUCH MERCHANDISE MAY HAVE ENTERED UNDER THE FOLLOWING CASE NUMBERS:

A-570-912-000

A-570-912-012

A-570-912-013

A-570-912-014

2. IF A BOND OR CASH DEPOSIT WAS COLLECTED AS SECURITY FOR AN ESTIMATED ANTIDUMPING DUTY FOR ANY SHIPMENT OF CERTAIN NEW PNEUMATIC OFF-THE-ROAD TIRES THAT WAS ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 02/20/2008 THROUGH 08/18/2008, ASSESS AN ANTIDUMPING LIABILITY EQUAL TO 28.97 PERCENT OR EQUAL TO THE AMOUNT OF THE BOND OR CASH DEPOSIT, WHICHEVER IS LESS.
3. GAP PERIOD LIQUIDATION INSTRUCTIONS FOR THE PERIOD 8/19/2008 THROUGH 9/4/2008 WERE ISSUED ON 09/11/2008 (SEE MESSAGE 8255209).
4. THE NOTICE OF LIFTING OF SUSPENSION OF LIQUIDATION FOR ENTRIES OF SUBJECT MERCHANDISE ENTERED DURING THE PERIOD 02/20/2008 THROUGH 08/31/2009, OCCURRED WITH THE PUBLICATION OF THE FINAL RESULTS OF ADMINISTRATIVE REVIEW (76 FR 22871, 04/25/2011). FOR ALL OTHER SHIPMENTS OF CERTAIN NEW PNEUMATIC OFF-THE-ROAD TIRES FROM THE PEOPLE'S REPUBLIC OF CHINA, YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT CASH DEPOSIT RATES OR PER-UNIT AMOUNTS.
5. THERE ARE NO INJUNCTIONS APPLICABLE TO THE ENTRIES COVERED BY THIS INSTRUCTION.
6. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CBP ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS, OR ASSESS INTEREST ON UNDERPAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.
7. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CBP SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION

351.402(F)(2) OF COMMERCE'S REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION OF THE ENTRY. IF THE IMPORTER CERTIFIES THAT IT HAS AN AGREEMENT WITH THE MANUFACTURER, PRODUCER, SELLER, OR EXPORTER TO BE REIMBURSED ANTIDUMPING DUTIES AND/OR COUNTERVAILING DUTIES, CBP SHOULD DOUBLE THE ANTIDUMPING DUTY AND/OR INCREASE THE ANTIDUMPING DUTY BY THE AMOUNT OF THE COUNTERVAILING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATIONS. ADDITIONALLY, IF THE IMPORTER DOES NOT PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CBP SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTY AND/OR INCREASE THE ANTIDUMPING DUTY BY THE AMOUNT OF THE COUNTERVAILING DUTIES.

8. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT THE OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577, RESPECTIVELY (GENERATED BY 08:AM).

9. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

MICHAEL B. WALSH

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party

Case #	Rate	Party Indicator*	Party ID	Party Name
A-570-912-053	28.97	E		HANGZHOU ZHONGCE RUBBER CO., LTD.
A-570-912-054	28.97	E		KS HOLDING LIMITED/KS RESOURCES LIMITED
A-570-912-055	28.97	E		LAIZHOU XIONGYING RUBBER INDUSTRY CO., LTD.
A-570-912-056	28.97	E		QINGDAO TAIFA GROUP CO., LTD.
A-570-912-057	28.97	E		WEIHAI ZHONGWEI RUBBER CO., LTD.